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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,965	12/27/2000	Mari Yajima	1538.1007 (JDH)	3205

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

CHAMPAGNE, DONALD

ART UNIT PAPER NUMBER

3622

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,965

Applicant(s)

YAJIMA ET AL.

Examiner

Donald L. Champagne

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,11,15,20,22,27 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,11,15,20,22,27 and 34-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12 May 2006 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 11, 15, 20, 22, 27 and 34-37 are rejected under 35 U.S.C. 103(a) as being obvious over Okura (US005829003A) in view of Fethe (US005926794A).
4. Okura teaches (independent claims 1, 15 and 22) a computer system, computer readable storage, and an information providing method, the information providing method comprising: transmitting (from *external program storage unit 60*, col. 5 lines 55-65) first display information (Fig. 20) to a terminal of one client (*display device 30* under the control of *CPU 10*, col. 4 lines 59-63), first display information comprising a first image to identify said one client/*employee operator/user* (col. 2 lines 18-21 and col. 6 lines 10-16) and a plurality of second images (in *photograph-of-face file 9c*, col. 20 lines 4-9) to identify other employees/clients, wherein each of the other clients belong to a same genre that was preregistered by said one client/*employee operator/user*, said same genre being "employees of the organization"; receiving, from said terminal of said one client, information indicating selecting of an image from said first display information (col. 28 lines 40-45); upon the received information indicating one of the plurality of second images being selected, forming second display information comprising information about said other client identified by the selected second image (*personal information*, col. 20 line 33), prompting the one

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client/*employee operator/user* to input a comment (an *official announcement*, col. 7 lines 58-60) to another client.

5. Okura does not teach upon the received information indicating the first image, which identifies the one client themselves, being selected, forming second display information prompting the one client to request a comment from an expert in said genre. Fethe teaches a performance appraisal system where employees act as experts to rate each other (col. 1 lines 36-49), which reads forming second display information prompting the one client/*employee operator/user* to request a comment (appraisal) from a (fellow employee) expert in said genre. Because Fethe teaches that the appraisal system is image-based (col. 2 lines 42-49), and therefore readily compatible with Okura's image-based system, and because Fethe teaches that the system overcomes favoritism and relies on the expertise of fellow employees (col. 1 lines 36-49), it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add the teachings of Fethe to those of Okura. Storing said expert opinion comment (claim 37) would also be necessary, and therefore obvious, for a proper personnel system.
6. Okura also teaches at the citations given above claims 34, 35 and 36 (where making the personnel change of record reads on "registering").
7. Okura also teaches (claims 11, 20 and 27) changing the position of employees on the organization chart (col. 2 lines 36-37), which reads on shuffling locations of images.

Suggestion of Allowable Subject Matter

8. Okura does not teach or suggest a member web page, which is disclosed in the instant specification (Fig. 2, and in the specification, where it is generally called a "votive panel web page", e.g., at spec. p. 9 line 4). Hence the instant rejection could be overcome by limiting the independent claims to a member web page. For example, Okura would not read on the following amendment of claim 22:

"22. An information providing method comprising:

transmitting a web page providing first display information to a terminal of one ~~client~~ registered member, said first display information comprising a first image to identify said one ~~client~~ member and a plurality of second images to identify other ~~client~~ registered members,

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wherein each of the other ~~client~~ members ~~who belongs to a same genre that was~~
~~preregistered by as~~ said one ~~client~~ member;

receiving, from said terminal of said one ~~client~~ member, information indicating selection
of an image of some one selected member from said first display information;

transmitting the member web page of said selected member to the terminal of said one
member;

~~upon the received information indicating if the selected member is one of the other~~
~~members plurality of second images being selected, ...~~

~~upon the received information indicating the first image, which identifies if the selected~~
~~member is said one client member themselves, being selected, ..."~~

Conclusion

9. This is a continuation of applicant's earlier Application No. 09747965. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, this action could have been made final even though it is a first action in this case. See MPEP § 706.07(b). **However, the examiner believes that applicant is making a good faith attempt to move this case to allowance, so it has not been made final.**
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Champagne whose telephone number is 571-272-6717. The examiner can normally be reached from 8:30 AM to 7 PM ET, Monday to Thursday. The examiner can also be contacted by e-mail at donald.champagne@uspto.gov, and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 571-273-6717.
11. The examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The fax phone number for all *formal* fax communications is 571-273-8300.
12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information

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for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

13. **ABANDONMENT** – If examiner cannot by telephone verify applicant's intent to continue prosecution, the application is subject to abandonment six months after mailing of the last Office action. The agent, attorney or applicant point of contact is responsible for assuring that the Office has their telephone number. Agents and attorneys may verify their registration information including telephone number at the Office's web site, www.uspto.gov. At the top of the home page, click on Site Index. Then click on Agent & Attorney Roster in the alphabetic list, and search for your registration by your name or number.

17 July 2006

DONALD L. CHAMPAGNE
PRIMARY EXAMINER

Donald L. Champagne
Primary Examiner
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